

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 12, 2004

DIVISION ONE

11-12-04

124960-04

The **HONORABLE RICHARD D. ALDRICH**, Associate Justice of the Court of Appeal, Second Appellate District, Division Three, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division One, as a justice thereof, on the following dates:

November 17, 2004

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated: November 9, 2004

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council

DIVISION ONE (Continued)

B177379 Shannon Dee S. (Not for Publication)

v.
Superior Court, Los Angeles County
(In re Taylor S., a minor, r.p.i.)

The Court:

The petition granted.

Mallano, J., Acting P.J. Ortega, J. Vogel, J.

DIVISION TWO

B171220 Yoo (Not for Publication)

v.
Wong

The order of dismissal is reversed. On remand, the trial court is directed to impose reasonable compensatory legal fees and costs on appellant as required by the mandatory provisions of section 473. The parties are to bear their own costs on appeal.

Doi Todd, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

B169190 Smith, et al. (Not for Publication)

v.
Mishleau

The order of dismissal is affirmed, and appellants' purported appeal of the September 2, 2003 order awarding attorney fees is dismissed. Respondent is awarded costs of appeal.

Doi Todd, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION TWO (Continued)

B164363 Aghasi (Not for Publication)
v.
Levi

The judgment is reversed. The trial court's order striking appellant's answer and entering his default is set aside. The case is remanded for the trial court to fashion appropriate discovery sanctions in accordance with this opinion. The parties are to bear their own costs on appeal.

Doi Todd, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

B167163 Teola (Not for Publication)
v.
West Los Angeles College, et al.

The judgment of dismissal is affirmed. Appellant to bear respondents' costs of appeal.

Doi Todd, J.

We concur: Nott, Acting P.J.
 Ashmann-Gerst, J.

B171581 Fireman's Fund Insurance Company (Not for Publication)
v.
Crusader Insurance Company

The judgment is affirmed. Crusader is awarded its costs on appeal.

Doi Todd, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

DIVISION TWO (Continued)

B168187 SBAM Partners (Not for Publication)
 v.
 Oh, et al.

The judgment is affirmed. The Ohs are awarded their costs on appeal.

Doi Todd, J.

We concur: Boren, P.J.
 Nott, J.

B170746 People (Not for Publication)
 v.
 Spivey

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

B166919 People (Not for Publication)
 v.
 McGuire

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Ashmann-Gerst, J.

November 12, 2004 (Continued)

DIVISION TWO (Continued)

B170570 People (Not for Publication)
v.
Green

The judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Nott, J.

B173343 People (Not for Publication)
v.
Yuill II

The ordered appealed from is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Nott, J.

B170598 People (Not for Publication)
v.
Kleinman

The ordered appealed from is affirmed.

Boren, P.J.

We concur: Nott, J.
Ashmann-Gerst, J.

November 12, 2004 (Continued)

DIVISION TWO (Continued)

B169297 People
v.
Martin

(Not for Publication)

The superior court is ordered to amend the abstract of judgment to reflect that the one-year enhancement imposed pursuant to section 667.5, subdivision (b) is stricken, such that appellant's aggregate sentence is 32 years to life, and to forward a corrected abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

DIVISION EIGHT

B164171 Waymon Hobdy, Jr.
v.
Norman Patricia Hobdy

Filed order denying petition for rehearing.